

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
SUPPLEMENTAL DOCKET NUMBER 1  
FOR THE REGULAR MEETING OF  
TUESDAY, APRIL 4, 2006 AT 10:00 A.M.  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

**ADOPTION AGENDA, CONSENT ITEMS  
RESOLUTIONS:**

\* ITEM-S500: 39<sup>TH</sup> Street Park Acquisition.

(Mid City-City Heights Community Area. District 3.)

**STAFF’S RECOMMENDATION:**

Adopt the following resolution:

(R-2006-817)

Authorizing the Mayor, for and on behalf of said City, to apply to the State of California in Roberti-Z'berg-Harris Per Capita funds under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for \$500,000 grant funds for the acquisition of property rights, title, escrow, and miscellaneous for certain property located at 4624 40<sup>th</sup> Street, consisting of 8,189 square feet, for inclusion with the 39<sup>th</sup> Street Park Project (Project);

Authorizing the Mayor, or his representative, to take all necessary actions to secure funding from the State of California for the Project;

Authorizing the City Auditor and Comptroller to accept, appropriate and expend funds if the Grant is secured;

Authorizing the City Auditor and Comptroller to establish a special interest-bearing fund for the Grant;

Authorizing the City Auditor and Comptroller to appropriate and expend \$500,000 from CIP-29-7020, 39<sup>th</sup> Street Park, for the acquisition of property rights, title, escrow, and miscellaneous for that certain property identified as 4624 40<sup>th</sup> Street, for the inclusion with the 39<sup>th</sup> Street Park, contingent upon receipt of a fully executed grant agreement;

ADOPTION AGENDA, CONSENT ITEMS (Continued)  
RESOLUTIONS: (Continued)

\* ITEM-S500: (Continued)

Declaring this activity is exempt from CEQA pursuant to State CEQA Guidelines Section 15060(c)(3). This determination is predicated on Section 15004(b)(2) (A) of the Guidelines, which provides direction to lead agencies on the appropriate timing for environmental review. The use or disposition of this property will require further review under the provisions of CEQA.

**STAFF SUPPORTING INFORMATION:**

In March 2002, California voters approved Proposition 40, the \$2.6 billion 2002 State Resources Bond "Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Act of 2002 (bond). On December 8, 2003, the Mayor and City Council approved Resolution R-298699, which included a distribution of the \$11,063,430 Per Capita / RZH Per Capita funds to each Council District, with a portion of the funding set aside for projects with citywide and regional impact. On February 20, 2004, the City entered into an umbrella contract with the State of California for the 2002 Resources Bond Act Per Capita / RZH Per Capita Grant Program.

This action authorizes the Mayor or his representative to apply for \$500,000, a portion of the 2002 Resources Bond RZH Per Capita funding allocated to Council District 3. The funds will be used for acquisition of the property located at 4624 40<sup>th</sup> Street for the expansion of 39<sup>th</sup> Street Park in the Normal Heights neighborhood of Council District 3.

**FISCAL CONSIDERATIONS:**

The acquisition will be entirely grant funded. Any future development of the site for park purposes will include fiscal considerations at the appropriate time.

**COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:**

On January 24, 2006, the Adams Recreation Council approved acquisition of the property for the expansion of 39<sup>th</sup> Street Park. On February 7, 2006, the Normal Heights Planning Group approved acquisition of the property for the expansion of 39<sup>th</sup> Street Park.

**KEY STAKEHOLDERS & PROJECTED IMPACTS:**

Normal Heights residents are the key stakeholders, and they support the acquisition as represented by the Adams Recreation Council and the Normal Heights Planning Group.

Waring/MacKenzie

Staff: Waring - (619) 236-6330  
Hilda Ramirez Mendoza - Deputy City Attorney